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REMARKS

Claim 1 has been amended to consistent with the previous amendment to claim 1 adding the limitations of original claim 2. Support for the clarification that the claim is directed towards specifying that it is the shell of the core/shell particle that comprises polymeric aluminosilicate complex may be further found, e.g., at page 3, line 30. Claims 8 and 9 have been amended for clarity, consistent with page 3, line 30 to page 4, line 2.

Claims 1, 5 and 7-17 are rejected under 35 USC 103(a) as being unpatentable over Bermel et al ('355) in view of Moore, Jr. et al ('171). This rejection is respectfully traversed.

As stated by the Examiner, Bermel discloses an ink jet recording method and element comprising a support and a base layer and an imaging layer. The imaging layer contains particles which may include cationic silica particles aggregated up to 300 nm. Bermel does not have a disclosure or suggestion of core shell particles comprising a shell of polymeric aluminosilicate complex of the formula given in the independent claim 1. Moore fails to overcome the basic deficiency of Bermel as applied to the present claimed invention. As indicated by its title (as referenced by the Examiner) Moore discloses a process for preparing alumina coated silica sols, not core shell particles comprising a shell of polymeric aluminosilicate.

Contrary to the Examiner's assertions, the process of Moore does not result in core shell particles where the shell comprises a polymeric aluminosilicate complex. Rather, the shell, or surface coating, of the silica sol particles of Moore are expressly taught as being alumina. While the alumina coating may be coated upon the surface of the silica sol particles, the resulting composition is not a polymeric aluminosilicate complex such as claimed, but rather a silica core with an alumina shell. The present claims require that the shell itself comprises a polymeric aluminosilicate complex. Even if there are both silicon and aluminum atoms at the interface between the silica sol particles and the alumina coating of Moore, the coating itself is not a polymeric aluminosilicate complex as required by the present claims.

As demonstrated in the examples, core shell particles having a distinct polymeric aluminosilicate complex shell composition may be obtained by

first forming an aluminosilicate polymer colloid, and then mixing such aluminosilicate polymer colloid with core particles to coat the surface of such core particles with the aluminosilicate polymer. The resulting core shell particles are distinct from the alumina coated particles obtained from the process of Moore, wherein the silica sol particles are pretreated with a stabilizer, and then mixed with a basic aluminum salt to form an alumina surface coating.

While such explanation of the differences between the particles of Moore and the core shell particles employed in the present claimed invention clearly applies to claim 1 requirement that the shell comprises a polymeric aluminosilicate complex, it is further noted that the alumina coatings of Moore would further not meet the requirements of claims 8 and 9. As noted above, even if there are both silicon and aluminum atoms at the interface between the silica sol particles and the alumina coating of Moore, the coating itself is not a polymeric aluminosilicate complex as required by the present claims, and there is no teaching or suggestion as how to obtain a polymeric aluminosilicate complex layer sufficiently thick to comprise a significant percentage of the weight of the core particle, as opposed to a atomic monolayer at the surface of a core particle.

Accordingly, even if the positively charged aluminacoated silica sols of Moore were to be employed as the cationic silica suggested in Bermel as proposed by the Examiner, the present invention would not be obtained.

Claims 1-5 and 7-16 are provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims of 20-24 of copending Application No. 10/622230, over claims 1-6, 10, 12-21 and 25 of copending Application No. 10/622229, over claims 1-19, 21 of copending Application No. 10/180179, and over claims 1-19, 21 and 22 of copending Application No. 10/180395.

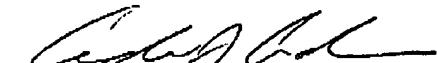
Application No. 10/622230 has issued as USP 6,916,514.

Application No. 10/622230 is still pending. Application No. 10/180179 has been abandoned. Application No. 10/180395 has issued as USP 6,991,835. To obviate the asserted obviousness-type double patenting rejections with respect to the cited applications which have not been abandoned, submitted herewith are Terminal Disclaimers with respect to issued patents USP 6,916,514 and USP 6,991,835, and to pending Application No. 10/622229.

It is respectfully submitted that rejected claims 1, 5, and 7-17 are now in condition for allowance. Rejoinder of pending withdrawn claim 6 is further respectfully requested upon allowance of claim 1 generic thereto.

In view of the foregoing amendments and remarks, reconsideration of this patent application is respectfully requested. A prompt and favorable action by the Examiner is earnestly solicited. Should the Examiner believe any remaining issues may be resolved via a telephone interview, the Examiner is encouraged to contact Applicants' representative at the number below to discuss such issues.

Respectfully submitted,



Attorney for Applicant(s)
Registration No. 33,564

Andrew J. Anderson/vjr
Rochester, NY 14650
Telephone: (585) 722-9662
Facsimile: (585) 477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.